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APPLICATION NO	LICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
09/839,138 04/23/2001		04/23/2001	Masaki Hiraga	1341.1091/JDH	1608		
21171	7590	09/13/2004		EXAMINER			
STAAS &	HALSE	Y LLP	YOUNG, JOHN L				
SUITE 700 1201 NEW		VENUE, N.W.	ART UNIT	PAPER NUMBER			
WASHING		•	3622				
				DATE MAIL ED: 00/13/200	DATE MAILED: 09/13/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.		Applicant(s)		_/			
	065 4-4 0	09/839,138	н	RAGA, MASAKI		91			
	Office Action Summary	Examiner	Ar	t Unit		·			
		John L Young	36	1					
Period :	The MAILING DATE of this communication app for Reply	pears on the cover sh	eet with the corre	spondence ad	dress				
- THE - Ext aft - If th - If N - Fai	HORTENED STATUTORY PERIOD FOR REPL' MAILING DATE OF THIS COMMUNICATION. ensions of time may be available under the provisions of 37 CFR 1.1 er SIX (6) MONTHS from the mailing date of this communication. the period for reply specified above is less than thirty (30) days, a reply O period for reply is specified above, the maximum statutory period of the period for reply within the set or extended period for reply will, by statute of reply received by the Office later than three months after the mailing ned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, y within the statutory minimur will apply and will expire SIX (, cause the application to bec	may a reply be timely fi n of thirty (30) days will (6) MONTHS from the mome ABANDONED (35)	led be considered timely nailing date of this co 5 U.S.C. § 133).					
Status									
' 1)⊠	Responsive to communication(s) filed on 23 A	<u>pril 2001</u> .				,			
2a) <u></u>	This action is FINAL . 2b)⊠ This action is non-final.								
3) Since this application is in condition for allowance except for formal matters, prosecution as to the me									
	closed in accordance with the practice under E	Ex parte Quayle, 193	5 C.D. 11, 453 C).G. 213.					
, Disposi	tion of Claims								
4)⊠	Claim(s) 1-20 is/are pending in the application								
	4a) Of the above claim(s) is/are withdrawn from consideration.								
· 5)									
(6)⊠	Claim(s) <u>1-20</u> is/are rejected.								
•	Claim(s) is/are objected to.								
	Claim(s) are subject to restriction and/o	r election requiremen	nt.	•					
Applica	tion Papers								
9)[The specification is objected to by the Examine	r.							
~ 10)□	The drawing(s) filed on is/are: a)☐ acc	epted or b)□ object	ed to by the Exar	niner.					
	Applicant may not request that any objection to the	drawing(s) be held in a	beyance. See 37	CFR 1.85(a).					
• _	Replacement drawing sheet(s) including the correct	· · · · · · · · · · · · · · · · · · ·							
11)	The oath or declaration is objected to by the Ex	aminer. Note the att	ached Office Act	ion or form PT	O-152.				
Priority	under 35 U.S.C. § 119								
12)⊠	Acknowledgment is made of a claim for foreign	priority under 35 U.S	S.C. § 119(a)-(d)	or (f).					
а)⊠ All b)□ Some * c)□ None of:								
•	1. Certified copies of the priority documents	s have been receive	d.						
	2. Certified copies of the priority documents	s have been receive	d in Application N	No					
	3. Copies of the certified copies of the prior	rity documents have	been received in	this National	Stage				
	application from the International Bureau								
*	See the attached detailed Office action for a list	of the certified copie	s not received.	77					
	JOHN LEONARI PRIMARY F	DYOUNG EAT	-/- 2						
Attachme	· · · · · · · · · · · · · · · · · · ·	XAMINER (7.7-2	<i>></i> <i>></i> >					
_	ce of References Cited (PTO-892)		(rview Summary (PTC	/)-413)					
2) 🔲 Noti	ce of Draftsperson's Patent Drawing Review (PTO-948)	Pape	er No(s)/Mail Date	<u> </u> .	450)				
	mation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) er No(s)/Mail Date		ce of Informal Patent er:	Application (PTO	-152)				
•									

Serial Number: 09/839,138 (Hiraga)

Art Unit: 3622

FIRST ACTION REJECTION

1

(Paper#9/7/2004)

DRAWINGS

1. This application has been filed with drawings that are considered informal; however, said drawings are acceptable for examination and publication purposes. The review process for drawings that are included with applications on filing has been modified in view of the new requirement to publish applications at eighteen months after the filing date of applications, or any priority date claimed under 35 U.S.C. §§119, 120, 121, or 365.

CLAIM OBJECTIONS

2. Claims 11, 16 & 20 are objected to because they contain minor typographical errors at lines 7, 9 & 8 of claims 11, 16 & 20 respectively after the word "to" delete the word –an--.

CLAIM REJECTIONS -35 U.S.C. \$103(a)

The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set

2

Art Unit: 3622

forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-20 are rejected under 35 U.S.C. §103(a) as being obvious over Von Kohorn US 5,057,915 (10/15/1991) (herein referred to as "Von Kohorn").

As per claim 1, <u>Von Kohorn</u> (col. 45, ll. 43-67) discloses a point management system with a "distribution of score points for various key words. . . ."

Von Kohorn (col. 26, ll. 63-67; col. 27, ll. 1-20) discloses "viewers... who are in a time zone ... inform member of an audience in another time zone of the correct responses... thus ensuring such members in other time zones of winning an award...."

The Examiner interprets these disclosures and whole document of Von Kohorn as showing "A method of providing points based on retrieval of keywords, the method comprising the steps of: presenting keywords to a first user through a network, and storing keywords selected by the user into a user-by-keyword management table relating to the user; presenting keywords to an advertiser through the network, and storing keywords selected by the advertiser into an advertiser-by-keyword management table

Serial Number: 09/839,138 (Hiraga) 3

Art Unit: 3622

relating to the advertiser; searching the user-by-keyword management table and the advertiser-by-keyword management table for keywords when there has been a request for retrieving the keywords from a second user different form the first user through the network, and when the requested keywords have been registered both in the user-by keyword management table and the advertiser-by-keyword management table, posting a retrieved result of the keywords and advertisement of the corresponding advertiser to the second user through the network; and giving points to the first user when the second user has referred to the advertisement, and storing these points into a user's-point management table relating to the first user."

<u>Von Kohorn</u> lacks an explicit recitation of some of the keyword management table elements and limitations.

4

Art Unit: 3622

As per claims 2-8, Von Kohorn shows the method of claim 1.

<u>Von Kohorn</u> (col. 45, ll. 43-67; col. 26, ll. 63-67; and col. 27, ll. 1-20; and whole document) implicitly shows all elements and limitations of claims 2-8.

<u>Von Kohorn</u> lacks explicit recitation of some elements of claims 2-8, even though <u>Von Kohorn</u> implicitly shows same.

Official Notice is taken that both the concepts and the advantages of the elements and limitations of dependent claims 2-8 were notoriously well known and expected in the art at the time of the invention, because it would have been obvious at the time the invention was made to a person having ordinary skill in the art that the disclosure <u>Von Kohorn</u> (col. 45, ll. 43-67;col. 26, ll. 63-67; and col. 27, ll. 1-20; and whole document) implicitly shows those elements and limitations of claims 2-8 which are not explicitly recited in <u>Von Kohorn</u>; and it would have been obvious to modify and interpret the disclosure of <u>Von Kohorn</u> cited above as showing all of the elements and limitations of claims 2-8, because modification and interpretation of the cited disclosure of <u>Von Kohorn</u> would have provided broad means to "increase the audience. . . . " (see <u>Von Kohorn</u> (col. 2, ll. 40-45)), based on the motivation to modify <u>Von Kohorn</u> so as to "create added interest and excitement among . . . viewers. . . . " (See <u>Von Kohorn</u> (col. 2, ll. 35-45)).

Serial Number: 09/839,138

(Hiraga)

Art Unit: 3622

Independent claim 9 is rejected for substantially the same reasons as independent claim 1.

5

Independent claim 10 is rejected for substantially the same reasons as independent claim 1.

Independent claim 11 is rejected for substantially the same reasons as independent claim 1.

Independent claim 12 is rejected for substantially the same reasons as independent claim 1.

Independent claim 13 is rejected for substantially the same reasons as independent claim 1.

Independent claim 14 is rejected for substantially the same reasons as independent claim 1.

Independent claim 15 is rejected for substantially the same reasons as independent claim 1.

Serial Number: 09/839,138

(Hiraga)

Art Unit: 3622

Independent claim 16 is rejected for substantially the same reasons as independent

claim 11.

Independent claim 17 is rejected for substantially the same reasons as independent

claim 1.

Independent claim 18 is rejected for substantially the same reasons as independent

claim 1.

Independent claim 19 is rejected for substantially the same reasons as independent

claim 1.

Independent claim 20 is rejected for substantially the same reasons as independent

claim 11.

CONCLUSION

4. Any response to this action should be mailed to:

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Any response to this action may be sent via facsimile to either:

6

Serial Number: 09/839,138 (Hiraga)

Art Unit: 3622

(703)305-7687 (for formal communications EXPEDITED PROCEDURE) or

(703) 305-7687 (for formal communications marked AFTER-FINAL) or

(703) 746-7240 (for informal communications marked PROPOSED or DRAFT).

Hand delivered responses may be brought to:

Seventh Floor Receptionist Crystal Park V 2451 Crystal Drive Arlington, Virginia.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L. Young who may be reached via telephone at (703) 305-3801. The examiner can normally be reached Monday through Friday between 8:30 A.M. and 5:00 P.M.

7

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber, may be reached at (703) 305-8469.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-

3900.

JOHN LEONARD YOUNG, ESQ. PRIMARY EXAMINER

John L. Young

Patent Examiner